1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

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MAIN COMMITTEE I

SUMMARY RECORD OF THE 5th MEETING

Held at United Nations Headquarters, New York,
on Wednesday, 26 April 1995, at 10 a.m.

Chairman: Mr. AYEWAH (Nigeria)

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The meeting was called to order at 10.40 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII, PARAGRAPH 3:

(a) IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY:

(ii) ARTICLE VI AND PREAMBULAR PARAGRAPHS 8 TO 12 (NPT/CONF.1995/MC.I/WP.1, 2 and 3; NPT/CONF.1995/MC.I/CRP.7)

1. Mr. DEMBINSKI (Poland) said that, in his view, article VI, together with articles I and II, constituted the very substance of the Treaty. Although not ideal, it had stood the test of time as a framework for the most determined pursuit of disarmament ever seen. Upholding the Treaty through its indefinite extension might not correct the elements that some perceived to be discriminatory, but, while the world might not become a fairer place as a result, at the least, it would become more secure. The record confirmed that the promise of the Treaty had indeed been pursued in good faith, with results deemed inconceivable at the previous review conference only five years earlier.

2. As the chairman of the Ad Hoc Committee on a Nuclear Test Ban, he was firmly convinced that the promise set out in the Preamble to "seek to achieve the discontinuance of all test explosions for all time and to continue negotiations to this end" had been pursued by the Conference on Disarmament with dedication, a sense of urgency and positive results. The negotiating process, which had begun only in March 1994, had recorded important progress. Agreement on a draft comprehensive test-ban treaty was imminent, and no effort would be spared to produce a final text before the fiftieth anniversary of the United Nations. While such sensitive issues as entry into force remained to be resolved, flexibility on the part of the nuclear Powers and of many non-nuclear-weapon States had narrowed and sometimes eliminated divergences and controversies. Of crucial significance were the decision of the United States to drop the proposal for a 10-year special withdrawal provision and the recent agreement by the United Kingdom and France not to include a provision on "tests in exceptional circumstances". An early political decision to establish a four-technology international monitoring system that was complete and reliable was the essential next step.

3. Although some problems remained and the negotiations were complex, the comprehensive test-ban treaty was an indispensable step on the road to achieving the objectives of article VI. Without doubt, each new step would be easier than the previous one, as mutual trust and confidence were built up.

4. Mr. KAYSER (Luxembourg) said that, at the previous meeting, his country had been incorrectly criticized by the representative of Iraq for making an authorized shipment of depleted uranium to Israel. The shipment did not contain enriched uranium, as erroneously stated by Iraq. The difference between the two materials was enormous. Depleted uranium was used for a variety of conventional civilian applications, for example in the hulls of ships or aircraft to increase their stability, and as shielding, because of its high specific density. IAEA had verified that the substance in question had been put to conventional, non-nuclear use. Even the organization Greenpeace had certified that Luxembourg had pursued a policy of nuclear non-proliferation.

5. Mr. TYUTYUNNIK (Ukraine) said that Ukraine, which had voluntarily renounced the possession of its nuclear weapons, was in favour of the indefinite extension of the non-proliferation Treaty, since it was the only instrument that laid the international legal groundwork for a universal system to eliminate the nuclear threat.

6. In its efforts to implement the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF) and the Interim Agreement on Certain Measures with respect to the Limitation of Strategic Offensive Arms (SALT I), Ukraine had been consistent in its nuclear disarmament policy. All tactical nuclear weapons had been transferred from Ukraine to the Russian Federation for dismantling. The transfer and dismantling of strategic nuclear weapons were also proceeding according to schedule. On the whole, Ukraine was satisfied with the agreements reached between the Russian Federation, the United States and Ukraine on compensation to be provided to Ukraine for all the nuclear weapons that it had inherited from the former Soviet Union.

7. Consideration of article VI of the Treaty should be based on the positive trends that had been taking place in nuclear disarmament over the past few years. For the first time since the adoption of the Treaty, the nuclear arsenals of most nuclear-weapon States had been reduced. The number of "threshold" States had grown smaller, as had the number of countries in whose territories nuclear weapons had been deployed. Such trends should be strengthened politically and legally in order to ensure the irreversibility of the nuclear disarmament process.

8. All delegations should make every effort to ensure the indefinite extension of the Treaty and the adoption of the final document of the Conference. The final document should contain the reaffirmation by all nuclear-weapon States of their obligation under article VI of the Treaty to pursue negotiations on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. It should also take note of the willingness of all States parties to the Treaty to conclude a comprehensive test-ban treaty by the end of 1995, and of their commitment to making real progress towards the conclusion of a convention on the prohibition of the production and stockpiling of fissile material for nuclear weapons.

9. The CHAIRMAN said that article VI was the linchpin of the Treaty, and that the Committee must be determined to give it content and orientation within a projected framework of a strengthened Treaty. It was for the Committee to determine whether negotiations were being conducted in good faith, to consider the meaning of "at an early date", and what elements constituted nuclear disarmament.

10. Mr. STARR (Australia), focusing on the negotiations for a comprehensive test-ban treaty, said that the Polish representative's assessment of those negotiations coincided with that of his own delegation. The final declaration of the Conference should give expression to the consensus resolution calling for intensive negotiations and their prompt conclusion with a view to providing impetus to the process. To that end, his delegation would submit a paper encompassing language which welcomed the historic consensus adoption by the General Assembly of resolutions on the comprehensive test-ban treaty, as well as the recent establishment of an Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate a universal and internationally and effectively verifiable comprehensive test-ban treaty. The significant progress so far achieved in the negotiations, which led him to anticipate their foreseeable conclusion, would also be welcomed. It was vital that the Committee should affirm support for the expeditious and intensive continuation of those negotiations as the highest priority of the Conference on Disarmament, with a view to concluding the text in 1995, being the year of the fiftieth anniversary of the United Nations, so that it could be signed in 1996 at the latest. Also welcome was the reaffirmation by the nuclear-weapon States of their particular responsibility in those negotiations, as well as their commitment to continue intensively to negotiate the comprehensive test-ban treaty and their pledge of support for its conclusion. He looked forward to a draft which would provide the required impetus.

11. Mr. TAYLHARDAT (Venezuela) concluded that the provisions of article VI remained unfulfilled; the phrase "at an early date" could not possibly be construed to mean 25 years later. None the less, serious efforts aimed at compliance had occurred only very recently and were no more than bilateral. Fulfilment of the provisions of article VI therefore required a great deal more work. Such facts should be taken into account in the document which would contain the Committee's assessment concerning the implementation of article VI.

12. Mr. KAREM (Egypt) said that the comprehensive test-ban treaty should prohibit all nuclear tests without distinction as a step towards the full prohibition and elimination of nuclear weapons. It should therefore ban all preparatory and other activities aimed at encouraging, assisting or providing a suitable environment for carrying out nuclear test explosions, as well as prevent the possible improvement or modernization of nuclear weapons. The ban on nuclear test explosions should include even those carried out under a peaceful guise with a view to ensuring that no military benefit was gained. The verification method should be universally applied on a non-discriminatory basis and should include international monitoring. It should also be technically effective and encompass all forms of verification, whether seismic or non-seismic, as well as on-site inspection. Moreover, an incremental approach should be pursued in order to improve monitoring that permitted maximum benefit to be derived from any technical advances achieved. It was therefore vital that

negotiations on the comprehensive nuclear-test-ban treaty should be pursued with renewed vigour and firm determination, with 1996 as the clear target date for conclusion.

13. Mr. ARCILLA (Philippines) affirmed that his delegation, in common with many others, regarded the conclusion of the comprehensive test-ban treaty as merely a first step towards the ultimate goal of nuclear non-proliferation and disarmament. According to his information, the size of detonations was an item of much debate in the treaty negotiations; a test ban, however, meant the total elimination of detonations. He shared the Australian view that the treaty should be concluded during the year of the fiftieth anniversary of the United Nations. He looked forward to considering the Australian proposal concerning the language relevant to the issue.

14. Mr. ONANGA (Gabon) said that the Treaty on the Non-Proliferation of Nuclear Weapons was part of a dynamic process and that positive developments in the negotiations on disarmament in general and nuclear disarmament in particular should be viewed judiciously. Although the post-cold-war climate favoured such developments, they were essentially the result of confidence-building measures implemented among the nuclear powers. He was pleased to note the Polish representative's remarks concerning the conclusion of the comprehensive nuclear-test-ban treaty. However, the demands of the non-nuclear-weapon States should be taken into account by the nuclear Powers with a view to ensuring that the treaty was fully credible. His delegation was open to all forms of negotiation which registered the positive results of nuclear disarmament and offered safeguards to non-nuclear-weapon States. The Committee's work was aimed at making the treaty universal. He therefore again stressed the importance of its credibility.

15. Mr. MORADI (Islamic Republic of Iran) reiterated the general assessment that article VI remained unfulfilled, since negotiations in good faith on one nuclear issue alone (i.e., a comprehensive test ban) had only just begun. None of the relevant multilateral bodies had registered any progress concerning implementation of the provisions of article VI, while nuclear-weapon States were unwilling to commit themselves to achieving the objectives contained in article VI and preambular paragraphs 8-12. They also constantly refrained from supporting United Nations resolutions on the subject. Bilateral progress had also been very limited; nuclear-weapon States still needed to reduce their nuclear-weapon stockpiles, which were now larger than in 1968. Ways and means should therefore be found to ensure implementation of article VI and preambular paragraphs 8-12, including the setting of an actual date for the cessation of the nuclear-arms race. Nuclear-weapon States should accordingly commit themselves to a programme of action for the total and effective elimination of nuclear weapons within a certain time framework, as well as to the pursuit of negotiations in good faith on effective measures relating to cessation of the nuclear-arms race as soon as possible.

16. Mr. ERRERA (France), speaking on behalf of Belgium, Denmark, Finland, Germany, Greece, Luxembourg, Netherlands, Portugal, Spain and the United Kingdom, said that he would be submitting a paper on the implementation of article VI of the Treaty. The paper would express satisfaction that the nuclear-arms race had come to an end and that the world was currently engaged in a process of drastically reducing nuclear arsenals; such was the case of the two major nuclear Powers, the United States and the Russian Federation, which had entered into commitments in the context of the START I and II agreements to dismantle the greater part of their nuclear forces. The United Kingdom and France had also made significant reductions in their nuclear programmes. Mention would also be made of the commitment to negotiate, in accordance with the General Assembly resolutions adopted by consensus, a comprehensive test-ban treaty which would be universal and internationally and effectively verifiable.

17. Note would also be taken of the fact that for the first time an agreement had been reached to undertake, at the Conference on Disarmament, negotiations on a convention that would ban the production of fissionable materials for weapons purposes. Apart from aspects relating to nuclear disarmament, it was also important to take into account the progress achieved with respect to other weapons of mass destruction and conventional weapons and to confidence-building measures, including measures within the regional framework.

18. The Conference should also focus on future prospects in the wake of recent developments which had opened new avenues for the continuation of the disarmament process as envisaged under article VI. That was why the countries on whose behalf he was speaking fervently hoped that in pursuance of the consensus resolutions adopted on a comprehensive nuclear-test-ban treaty, the treaty could be signed and the ban could be implemented as soon as possible. They also hoped that the negotiations on the fissionable materials cut off would begin immediately. They would reaffirm their commitment to pursue negotiations in good faith on effective measures relating to nuclear disarmament and expressed the hope that efforts would be pursued in other areas of disarmament concerning chemical, biological, anti-personnel mines and within the context of regional arms control processes. The countries on whose behalf he spoke wished to see those drafting proposals reflected in the report to be submitted by the Committee under article VI and the preambular paragraphs.

19. Mr. HASMY (Malaysia) said that negotiations had not been pursued in good faith at all. Indeed, for some 20 years after the coming into force of the non-proliferation Treaty, there has been a frenetic arms race which had slackened off only in the previous five years or so thanks largely to dramatic breakthroughs in the bilateral relations between the two major super-Powers. While the nuclear-weapon States, in particular the United States and the Russian Federation should be commended for their achievements in the area of nuclear arms reduction, it should be noted that the strictly bilateral agreements between them had not reduced nuclear arsenals to a satisfactory level nor did they involve the other three nuclear-weapon States which were yet to take steps to contribute to the process of overall disarmament.

20. Malaysia disagreed with those countries that had tended to take a more positive view of the implementation of article VI. It had taken many years for serious negotiations to get under way and even the current negotiations on

reductions were too dependent on the maintenance of good relations between the two super-Powers. Indeed, Malaysia believed that the current situation was but a lull in the arms race. His delegation was pessimistic about the future as it did not know what would happen should the relationships between the two super-Powers deteriorate. It therefore endorsed the approach suggested by some non-aligned countries that the nuclear-weapon States must be made to commit themselves to a binding schedule of performance designed to reduce nuclear-weapons stockpiles and eventually to eliminate such weapons altogether. That should be one of the goals of the Conference, which should also call upon nuclear-weapon States to abandon once and for all the doctrine of nuclear deterrence which was out of place in the current world context.

21. Mr. OROBOLA (Nigeria) said that article VI was one of the pivotal articles of the non-proliferation Treaty. His delegation agreed with the delegation of Malaysia that, notwithstanding the efforts that had been made in the previous five years by some nuclear-weapon States towards the reduction in their stockpiles, good faith by and large had been lacking. While the efforts that had been made to reduce tactical and strategic nuclear weapons were welcome, much more needed to be done. Despite the efforts that were being made in the context of the Conference on Disarmament, it must be recognized that there were difficulties and that the Conference needed to move speedily in order to conclude and sign a comprehensive test-ban treaty in 1995 - the fiftieth anniversary of the United Nations - or 1996 at the latest. With respect to the fissile cut-off, after prolonged discussions, an ad hoc committee had been established. However, there was a problem regarding the interpretation of the Committee's mandate. Moreover, it was unclear how long it would take to negotiate the fissile cut-off. Therefore, while recognizing the fact that problems existed, a way must be found to reflect the need to make rapid progress on all those issues.

22. While the pace of nuclear disarmament was too slow, there were other actions which could be taken by nuclear-weapon States to allay the fears of non-nuclear-weapon States. For instance, the withdrawal by nuclear-weapon States of nuclear weapons stationed on the territories of other countries would give more countries confidence and would demonstrate the further commitment of nuclear-weapon States to the reduction of the nuclear threat. Referring to the link that the Malaysian delegation had established between the state of international relations and nuclear disarmament and noting that the idea of the nuclear doctrine was still very much alive, he said that the Conference should re-examine the issue of whether the nuclear deterrent had a place in a post-cold-war world in search of a new world order.

23. Nigeria believed that the least that could be done was to inform States that were being asked to endorse the indefinite extension of the Treaty as to when nuclear weapons would be eliminated and when some progress on the ongoing negotiations would be achieved. Language should be found in the draft to reflect a time-bound programme of nuclear disarmament and complete elimination of nuclear weapons. The twenty-first century should be used to rein in the nuclear threat, stop the making of nuclear weapons and finally come up with a convention to ban the production, stockpiling and use of nuclear weapons.

24. Mr. IZQUIERDO (Ecuador) said that non-proliferation was an undeniable responsibility and that it was therefore vital to establish a climate of international trust in order to pursue negotiations in good faith. Ecuador believed that it was necessary to speedily conclude a comprehensive test-ban treaty which was universal, multilateral and effectively verifiable. While negotiations on such a treaty were under way, the nuclear-weapon States should renew the moratorium on nuclear-weapon testing.

25. His delegation also deemed it vital for the Conference to promote the conclusion of a non-discriminatory, multilateral and internationally verifiable treaty on the banning of the production, possession and marketing of fissionable materials. The illicit traffic in radioactive material should also be stopped because unless timely measures were adopted, such traffic could have unpredictable consequences.

26. Lastly, the non-proliferation Treaty was not an end in and of itself; nor was it designed to perpetuate the possession of nuclear weapons by a small number of States. Rather, it was designed to promote and guarantee international peace and security through nuclear disarmament, a fundamental and essential step towards achieving comprehensive disarmament.

27. Ms. DUNCAN (New Zealand) said that the aim of pursuing negotiations in good faith on effective measures relating to the cessation of the nuclear-arms race was to stop vertical proliferation. The negotiations on the comprehensive test-ban treaty were making an important contribution as they constituted not only a horizontal non-proliferation measure but also one which would contribute to nuclear disarmament. She agreed with the Australian delegation that it should be feasible, with a serious commitment to intensive negotiations by all participants, to conclude a comprehensive test-ban treaty during the current year. The document which emerged from the Committee's deliberations should reflect that goal. The commitment by all five nuclear-weapon States to the uninterrupted observance of testing moratoria would be consistent with that commitment and a welcome signal of their seriousness.

28. Mr. KIM (Republic of Korea) said that, as it had consistently done in the past, his Government supported the conclusion of negotiations on a comprehensive test-ban treaty at the earliest possible date. He agreed with the representatives of Australia and Poland that the fiftieth anniversary of the United Nations afforded a unique opportunity for signing the comprehensive test-ban treaty. His delegation hoped that in the not too distant future, the common goal of nuclear disarmament under the Treaty could be achieved as a result of substantial progress through wider participation in the negotiations relating to the comprehensive test-ban treaty. To achieve that goal, however, more intensive efforts were required to resolve the issue of the extension of the Conference on Disarmament at the earliest possible date. Those efforts would contribute greatly to the successful and indefinite extension of the Treaty.

The meeting rose at 12.30 p.m.